

UNIVERSAL DESIGN COMMITTEE
Division of the State Architect Advisory Board

Final Minutes of Public Meeting
May 10, 2005

California Community Colleges Building
1102 Q Street, 3rd Floor, Conference Rooms A & B
Sacramento, California

Committee Members Present

John Paul Scott, Chair
Chad Allen (by telephone)
Pete Guisasola
Chris Lawrence
Ron Mincer
Mike Modugno
Bob Nicol
Pete Peterson (by telephone)
Sharon Toji (by telephone)

Committee Members Absent

Gale Bate
Peter Margen

DSA Staff Present

David Thorman, State Architect
Mary Ann Aguayo
Rod Higgins
Linda Huber
Michael Mankin
Aaron Noble
Louise Redeen
Elizabeth Schroeder
Derek M. Shaw

Others Present

Jim Abrams, CA Hotel & Lodging Assn.
Sandra Frey, Dept. of Rehabilitation
Donn Harter, California Glass Assn.
Jennifer Olson
James V. Vitale, PBWS Architects

1 **Call to Order and Introductions**

2 Committee Chair John Paul Scott called the meeting to order at 9:30 a.m. and welcomed
3 everyone. Meeting participants took turns introducing themselves.
4

5 Mr. Scott introduced Elizabeth Schroeder, the new staff person assigned to provide support to
6 the committee. He also welcomed and introduced Mr. Chad Allen, the newest member of the
7 committee, representing the National Federation of the Blind.
8

9 Mr. Scott announced that Ms. Amor Taylor resigned from the committee and Mr. Richard Skaff
10 would no longer be a member. He said he will talk with the new State Architect and the Board
11 chair, Mr. Lowell Shields, about the vacancies.
12

13 Mr. Aaron Noble stated that Mr. David Thorman had been appointed as the new State
14 Architect. Mr. Scott said Mr. Thorman would be attending future committee meetings.
15

16 Mr. Scott reviewed the meeting agenda
17

18 **Review September Meeting Minutes and Follow-Up Items**

19 Mr. Scott drew attention to the minutes of the September 28 meeting and welcomed comments
20 and suggestions.
21

1 **Mr. Chris Lawrence made a motion, seconded by Mr. Robert Nicol, to approve the**
2 **minutes of the September 28, 2004 meeting as presented. The motion was carried**
3 **unanimously.**
4

5 Mr. Scott drew attention to the open-ended questions on Page 3 of the minutes and asked for
6 clarification regarding detectable warnings. Mr. Noble reported that Mr. Lozano contacted
7 DSA to clarify the intention of the committee was to maintain the existing spacing, but in an in-
8 line direction. Mr. Lozano noted that when the staggered pattern is rotated to an in-line
9 pattern, the spacing goes to 1.66. Mr. Noble said the Building Standards Commission's
10 Accessibility Advisory Committee expressed concern about deviating from the federal
11 standard. He added that the Building Standards Commission will publish a monograph in June
12 for a 45-day comment period.
13

14 Mr. Scott noted that Page 4 of the minutes, pertaining to the code adoption cycle, indicates the
15 deadline for proposed changes for the 2005 code adoption is July. He asked if that schedule
16 had changed. Mr. Noble responded that from meetings with the Building Standards
17 Commission, it appears there will be no 2005 cycle, so the next deadline will be May of 2006
18 for the 2006 code adoption cycle.
19

20 Mr. Scott observed that on Page 5, the minutes reflect that the committee requested copies of
21 six pertinent technical standards regarding play areas and door opening force. He asked
22 about the status of that request. Ms. Mary Ann Aguayo referred to the list of follow-up items
23 and said the staff will provide the committee with a list of the publications and their costs. She
24 added that Acting State Architect Richard Conrad wanted to know the reason for requesting a
25 copy of each document. Mr. Scott said he would explain the justification for each request in
26 emails to Ms. Aguayo and the new State Architect. He said the standards requested are the
27 core technical standards for playground accessibility compliance, which cover issues like
28 engineered wood fill and wood fiber, and the technical standards for door opening force and
29 automatic door openers, which include a chart on door opening times.
30

31 Ms. Aguayo noted the committee had requested a copy for each member, and that would
32 entail considerable expense. Mr. Scott said each standard costs between \$35 and \$99. He
33 suggested that an alternative to individual copies might be to circulate a binder. He added that
34 the standards are copyrighted documents that should not be duplicated.
35

36 Mr. Noble noted it might be possible to get approval from ASTM to make a limited number of
37 copies for "incidental use." He added that ASTM has an interest in California adopting their
38 standards.
39

40 Mr. Scott said the minutes also reflect the committee's discussion about correcting the
41 calculation of the 4.16 percent slope gradient. Mr. Noble stated that the State Architect
42 decided to keep the existing calculation and percentage and let the U.S. Department of Justice
43 make the correction.
44

45 Regarding the provisions for less than five accessible parking spaces, Mr. Scott said he
46 thought the committee agreed to use the ADAAG standard which requires the first space to be
47 van-accessible and signed. Mr. Noble replied that DSA had proposed striking that section.
48 Mr. Scott observed that if those provisions are removed, California would go to ADAAG by
49 default.
50

51 Ms. Sharon Toji joined the meeting by telephone. Mr. Scott summarized what agenda items
52 had been covered so far.

Old Business

Proposed Revisions to Existing Policies

Mr. Scott suggested that Mr. Noble provide a brief description of each of the proposed policy revisions.

95-01 Alteration Projects - \$25,000 and Under

Mr. Noble said DSA plan review for access compliance is not required for alteration projects governed by the Field Act with estimated cost of \$25,000 or less.

Mr. Lawrence observed that the "Resolution" section at the end of the policy states that "school districts are required to ensure that these projects comply with all applicable accessibility regulations." He asked what method will be used to "ensure" compliance. Mr. Noble answered that the intent is to transfer responsibility for compliance from DSA to the school district. He added that DSA would have no role in overseeing compliance.

Mr. Scott suggested changing the language to say that school districts "are responsible" to make these projects comply with accessibility regulations, and Mr. Lawrence agreed.

Mr. Mike Modugno asked if the \$25,000 threshold includes the cost of accessibility improvements. Mr. Noble responded that \$25,000 is the entire project cost without accessibility upgrades. Mr. Modugno expressed his opinion that the cost should include ADA compliance.

Mr. Pete Peterson noted there was discussion at the last DSA Advisory Board meeting about adjusting the \$25,000 threshold annually. Mr. Noble said he was not aware of an annual indexing provision in that section of the California Education Code. He added that he would check during the lunch break and report back.

Mr. Ron Mincer suggested clarifying that the \$25,000 threshold includes access costs. Mr. Chad Allen commented that this approach made more sense to him, and other committee members agreed. Mr. Peterson pointed out that the policy simply distinguishes which projects need to be reviewed by DSA, but all projects still need to comply with accessibility requirements. Mr. Scott noted access costs are part of total construction costs.

Mr. Mincer commented that there might be some confusion because hardship requests are based on the costs of construction without access costs. Mr. Pete Guisasola agreed, and pointed out that private sector projects separate construction from access costs in order to determine the 20 percent threshold requirement.

Committee members agreed it would be helpful to clarify that the cost includes both the construction and accessibility improvements.

Mr. Scott proposed coming back to this policy after Mr. Noble checks on the annual indexing provisions.

95-09 Seating at Fixed Counters

Mr. Noble said this policy revision deals with accessible spaces at fixed counters. He explained that the intent is to require banquet and bar facilities designs to provide accessible seating integrated with general seating to avoid highlighting one area as the area for persons with disabilities. He noted at fixed counters where food or drink is served, there should be accessible portions of counters designed to accommodate more than one person.

1 Referring to the last sentence before the “Resolution” section of the policy, Mr. Scott clarified
2 that federal accessibility guidelines require certain counter dimensions rather than simply
3 “recommend.”
4

5 **Mr. Guisasola made a motion, seconded by Mr. Lawrence, to adopt Policy 95-09 as**
6 **revised. The motion was carried unanimously.**
7

8 96-01 Seismic Upgrade Projects

9 Mr. Noble said Policy 96-01 is consistent with the Attorney General’s opinion that seismic
10 projects constitute an alteration in existing buildings, therefore triggering a requirement to
11 perform accessibility upgrades to restrooms, entrances, paths of travel, drinking fountains, and
12 telephones.
13

14 Mr. Mincer expressed concern about the cost impacts. He noted the City of Los Angeles
15 requires seismic upgrades of older brick buildings, and often that work consists only of
16 strengthening the sides of a building and tying the structure to the roof, without doing anything
17 to the walls. Requiring building owners to fix restrooms, especially in buildings that have only
18 employee restrooms and no existing public accommodations, is a huge cost burden. Mr.
19 Mincer asked if there was any way to make an exception for seismic upgrade projects that do
20 not improve the building other than strengthening the roof and wall connections.
21

22 Mr. Scott pointed out it would be difficult to modify the requirement or provide exceptions
23 contrary to the Attorney General’s opinion. He added the opinion uses three different
24 examples to illustrate how the requirements would apply, and the City of San Francisco has a
25 similar rule.
26

27 Mr. Guisasola noted the best time to do an accessibility upgrade is at the same time as
28 seismic retrofit work.
29

30 Mr. Peterson expressed his opinion that the accessibility upgrades should only be triggered by
31 seismic improvements, not repair and maintenance projects.
32

33 Mr. Guisasola suggested it might be reasonable to consider whether the seismic work is being
34 done to a distinct portion of the building, and then limit accessibility improvements to just that
35 area.
36

37 **A motion was made and seconded to adopt Policy 96-01 as proposed. The motion was**
38 **carried unanimously.**
39

40 96-10 Handrails at Single Step Conditions

41 Mr. Noble said Policy 96-10 relates to determining when handrails are required at stairs. He
42 noted DSA has a long-standing policy of requiring handrails at single-step conditions. He
43 observed that handrails protect not only people with disabilities, but also elderly persons.
44

45 Mr. Peterson drew attention to the language under “Issue,” and recommended deleting “it
46 appears that.” Referring to the “Resolution,” he suggested clarifying that DSA “encourages
47 and will accept” means that the items will not become plan check comments. He expressed
48 concern about having outside plan checkers imposing it as a requirement.
49

50 Mr. Noble clarified that this policy has actually been in effect at DSA for more than a decade,
51 and plan reviewers do require handrails at single-step conditions.

1 Mr. Lawrence stated that he has never seen this issue raised in a plan check comment. he
2 added there is a lack of consistency among outside plan checkers.

3
4 Mr. Michael Mankin observed that all of the proposed policies imply a performance standard
5 that is not based on any prescriptive standard in the code. He said he could understand why
6 people would be uncomfortable enforcing provisions that are interpretations of unclear code
7 language. He expressed his opinion that the policies should probably be regarded as
8 guidelines rather than as enforceable plan review requirements.

9
10 Mr. Scott suggested changing the "Resolution" to advise architects to avoid single-step
11 conditions because of their hazardous nature. Mr. Mankin agreed, and noted all single-step
12 conditions are liabilities waiting to happen. Mr. Scott pointed out that no major theme parks or
13 shopping malls allow single steps because they are aware of the tripping hazards. Mr. Mankin
14 noted single steps would not be allowed in a restaurant design either. Mr. Scott said the
15 alternative to a single step would be a six-foot concrete ramp with no handrails.

16
17 Mr. Lawrence pointed out there are some situations in which handrails may not be appropriate
18 for single steps, and he cited the example of a covered walkway in an old school that steps
19 down to a field. He recommended clarifying the specific conditions that necessitate handrails.

20
21 Mr. Mankin recommended thinking of the proposed policies as design standards intended to
22 highlight specific issues so architects and designers can make the appropriate decisions.

23
24 Mr. Scott proposed changing the "encourage and accept" language to "recommends." Mr.
25 Lawrence observed that the word "accept" appears to be more problematic, and he suggested
26 deleting that part. Committee members discussed the need to avoid underground regulations
27 by making clear the factors DSA is seeking.

28
29 **Mr. Lawrence made a motion, seconded by Mr. Guisasola, to adopt the policy, but with**
30 **the words "and will accept" and "it appears that" deleted.**

31
32 Mr. Jim Abrams expressed concern that DSA's "recommending" will be interpreted as a
33 requirement in the field. He suggested clarifying that failure to provide handrails will not be
34 grounds in and of itself to refuse to accept a project.

35
36 **The motion was carried unanimously.**

37
38 Mr. Peterson informed Mr. Noble he had found the code section regarding annual updates to
39 the \$25,000 amount, and he cited Education Code Section 17295. Mr. Noble clarified that the
40 statute says the dollar amount shall be increased on an annual basis, beginning January 1,
41 1999, according to an index of construction costs.

42
43 Mr. Noble commented that if the language identified by the committee is removed, the result
44 will be a policy stating there is no requirement for handrails at single-step conditions.

45
46 Mr. Scott noted that there was a debate at ICC regarding the definition of "stair," and it was
47 eventually determined that "stair" referred to plural steps. In response, DSA made the
48 clarification that single steps require a handrail too.

1 97-01 Unisex Toilet Rooms

2 Mr. Noble said this policy pertains to situations where there may be unreasonable hardship in
3 providing separate-sex accessible toilet facilities. He added that the existing policy is simply
4 being reworded.

5
6 Mr. Lawrence drew attention to the second paragraph under “Resolution,” and noted the
7 language indicates “it is advantageous to install unisex toilet rooms in addition to a pair of
8 accessible toilet rooms.” He said some people might interpret that to mean they are required
9 to provide both separate-sex and unisex facilities. Mr. Noble proposed inserting
10 “recommended.” He added that for certain occupancies, a family restroom is required.

11
12 Mr. Lawrence advocated using “recommended” instead of “advantageous,” and other
13 committee members agreed.

14
15 Mr. Peterson asked for clarification of the last sentence of the first paragraph under “Issue.”
16 He said the language indicates the unisex restroom “must be located in the same area of
17 existing restroom facilities.” Committee members agreed it would be up to the architect to
18 determine what constituted a reasonable distance.

19
20 Mr. Mincer suggested considering whether paths of travel should be covered or uncovered.
21 Mr. Guisasola noted that if people are being directed to a separate building, the walkway
22 should be covered to avoid disadvantaging any particular group.

23
24 **Mr. Lawrence made a motion, seconded by Mr. Guisasola, to adopt Policy 97-01 with the**
25 **word “advantageous” changed to “recommend.” The motion was carried unanimously.**
26

27 The committee took a short break. When Mr. Scott reconvened the meeting, he reviewed
28 some of the more common acronyms used by the committee, the governing statutes, and the
29 most commonly used accessibility codes and standards. Committee members noted it would
30 be helpful for new members to receive a written description of these items, and they asked the
31 staff to compile a handout.

32
33 99-07 Toilet Paper Dispensers

34 Mr. Noble proposed deferring this topic until after the lunch break.

35
36 99-08 Doorstops

37 Mr. Noble said this policy specifies the maximum distance from a wall to a door stop, and the
38 effect of the policy remains unchanged.

39
40 Mr. James Vitale pointed out the “encourages and accepts” language appears in this policy.
41 Mr. Scott clarified the committee’s intention of substituting “recommends” throughout.

42
43 **Mr. Mincer made a motion, seconded by Mr. Lawrence, to adopt Policy 99-08 as**
44 **proposed. The motion was carried unanimously.**
45

46 **Proposed Deletion of Existing Policies**

47 Mr. Noble drew attention to the handout explaining the rationale for the proposed deletions.

48
49 Mr. Lawrence noted some of the policies were characterized as “obsolete.” He asked whether
50 they had been replaced by updated versions or simply eliminated. Mr. Noble said that in some
51 cases, changes in DSA plan review procedures eliminate the need for certain steps. Mr.

1 Lawrence asked whether DSA gives permit extensions or waivers. Mr. Noble offered to check
2 the existing policy.

3 Mr. Peterson asked about the possibility of using pre-approved drawings for portable
4 classrooms in fire reconstruction situations. Mr. Mankin referred to a letter from the U.S.
5 Department of Justice regarding renovation of fire repair. He explained that DOJ regards this
6 as alteration work requiring accessible path of travel to toilets from parking areas.
7

8 In response to Mr. Lawrence's questions, Mr. Noble said the permit extension provisions dealt
9 with a narrow time period between 1992 and 1994 that has long since expired. Waivers
10 pertained to access compliance based on class size reduction, which is not an issue any more.
11 Mr. Noble said most of the current issues concern van accessibility parking and drinking
12 fountains, so the class size reduction waiver is no longer needed.
13

14 **Mr. Guisasola made a motion, seconded by Mr. Lawrence, to approve the proposed**
15 **deletions. The motion was carried unanimously.**
16

17 **DSA Reports**

18 **2004 Annual Code Cycle**

19 Mr. Noble reported that the Building Standards Commission Advisory Committee met in
20 January and February and took comments regarding Housing and Community Development's
21 proposed revisions to Chapter 11A and DSA's proposed revisions to Chapter 11B. The
22 Commission will be posting a monograph in June for a 45-day public comment period, followed
23 by a 15-day comment period for additional revisions. Mr. Noble said the Building Standards
24 Commission will probably vote on the proposed changes sometime next November or
25 December.
26

27 Mr. Scott suggested that the committee discuss the impact of the Chapter 11A revisions at the
28 next meeting. He said HCD is proposing justification for emergency rule-making requiring 10
29 percent of all townhouse units to be provided with an accessible route and other
30 improvements. He noted HCD has also changed the language about common use and public
31 use areas. He explained that the emergency rule-making is necessary to meet the statutory
32 mandate of July 1, 2005 to get an amendment to Title 24 out to the local jurisdictions.
33

34 **2005 Annual Code Cycle**

35 Mr. Noble noted that as he indicated before, based on information from the Building Standards
36 Committee, it is anticipated there will be no 2005 code adoption cycle. The next deadline for
37 state agencies to submit proposed changes will be May of 2006. Mr. Noble said DSA intends
38 to submit the provisions certified by the U.S. Department of Justice, and there will probably be
39 other revisions after reviewing the public comments.
40

41 **U.S. DOJ ADA Certification of the California Building Code**

42 Mr. Noble reported that DSA received approximately 800 comments from the U.S. Department
43 of Justice to which the staff will be responding. He said DSA provided a partial response as
44 the first step, and some of the comments regarding minor text changes were addressed. He
45 estimated that 300 or so of the 800 comments involved more complex issues. Mr. Noble
46 added that DSA plans to work with its consultant, Peter Margen, and the Department of Justice
47 to obtain an equivalency determination before proceeding with the task.
48

49 **Adoption of the International Building Code as the Model Code for California**

50 Mr. Scott clarified that DSA's intent is to go forward with code revisions to certify the California
51 Building Code Chapter 11B to the current ADAAG and not the proposed ADAAG. Mr. Noble

1 confirmed that intent. He said the Building Standards Commission decided in March to
2 recommend adoption of the International Building Code (IBC) as California's next model code
3 instead of NFPA 5000.

4
5 Mr. Scott commented that the one person representing individuals with disabilities expressed
6 his dissatisfaction and left the meeting abruptly before voting. He asked if anyone knew more
7 about the reasons for his behavior. Mr. Vitale reported that he talked with an individual
8 recently who expressed great frustration with the direction things were going and objected to
9 having to wait 15 years. That person advocated a stronger and less ambiguous stance in
10 order to accelerate the rate of change. Mr. Scott remarked that the individual would have been
11 more effective in expressing his displeasure by voting.

12
13 Mr. Scott observed that by adopting the IBC, California will also be adopting the new
14 ADA/ABA.

15
16 Mr. Abrams asked when DSA expected the IBC and the California amendments to go into
17 effect. Mr. Noble responded that the Building Standards Commission will set meeting dates for
18 the Accessibility Committee next spring when the 2006 submittals come forward. He noted the
19 Accessibility Committee is likely to meet that fall, and then publish a monograph for a 45-day
20 public comment period. Based on the issues involved, he added, comments are likely to be
21 extensive, so the provisions might go into effect towards the end of 2007 or beginning of 2008.

22
23 Mr. Scott noted the Department of Justice expects the new ADAAG/ABA to go into effect in
24 about May of 2007.

25
26 Mr. Abrams expressed concern that the Department of Justice process might not synchronize
27 well with adoption of the IBC, leaving a potential two-year gap when federal requirements are
28 more restrictive than the state requirements. Mr. Noble said DSA plans to move forward
29 whether DOJ certification comes first or not.

30 31 **Evaluation of Detectable Warnings Advisory Committee**

32 Mr. Derek Shaw noted Section 4460 of the Government Code calls on DSA to work with HCD
33 to establish an independent testing and evaluation program to certify the durability of
34 detectable warning products used at curb ramps and hazardous vehicular areas. He said
35 there have been past problems with domes pulling up, losing color or acoustic quality, and
36 deteriorating. In response, DSA established an advisory committee to propose testing
37 standards and technical criteria. Mr. Shaw reported that the committee developed a first draft,
38 which is available on DSA's Website. He added that the next committee meeting is scheduled
39 for July 21 and 22.

40
41 Mr. Guisasola asked how the committee was dealing with overall durability and maintenance
42 needs. Mr. Shaw said the committee is looking at typical kinds of abuse, such as snowplow
43 damage, and trying to identify a baseline of acceptable durability. He noted the Government
44 Code specifies that the detectable warnings must be maintained at 90 percent of their original
45 criteria for a period of five years.

46
47 Mr. Scott asked when the committee expects to complete its work. Mr. Shaw responded that
48 some issues are more complicated than others, so it is difficult to predict the length of time
49 they will take. He said he expected the committee will have recommendations for DSA by the
50 end of the year.

1 Mr. Allen questioned the effectiveness of truncated dome detectable warnings in the first place.
2 He noted the warning systems identify both hazardous areas and walkways, making it difficult
3 to determine where someone is supposed to cross.
4

5 Mr. Scott explained that current code requires detectable warnings, so the committee's scope
6 was limited to issues of durability rather than usability.
7

8 Mr. Scott noted State Architect David Thorman had joined the meeting. He welcomed him and
9 invited him to address the committee.
10

11 Mr. Thorman expressed his appreciation to the committee and confirmed DSA's support of its
12 activities. He invited committee members to contact him individually.
13

14 **Certified Access Specialist Program**

15 Mr. Rod Higgins, project director, DSA Certified Access Specialist Program, explained that
16 Senate Bill 262 directed DSA to develop a certification program for access specialists. With
17 the assistance of an advisory committee, DSA established separate certification programs for
18 two areas: certified access investigators, or unlicensed individuals who work on plan review
19 and surveying issues, and certified access architects, who are licensed to practice architecture
20 and certified in the specialty area of accessibility. Mr. Higgins said next steps will be meeting
21 with subject matter experts to develop job analyses and then test specifications for the
22 certification exam. DSA is also creating a list of certified access specialists, a project due by
23 October 31, 2005. Finally, the staff is involved in the rulemaking process that will help
24 implement the program.
25

26 Mr. Abrams commented that the advisory committee pointed out that ongoing oversight will be
27 needed to ensure that certified specialists are doing good quality work, and funding is needed
28 for DSA to administer the certification and recertification activities.
29

30 Mr. Scott asked if there will be any complaint procedure like that used by the architectural
31 licensing board. Mr. Higgins responded that the staff is developing provisions regarding
32 auditing, discipline, and recertification.
33

34 Mr. Higgins said DSA hopes to start the first training session somewhere around July. He
35 added that one issue needs to be resolved: DSA needs to charge a fee, but a fee cannot be
36 implemented until the rulemaking process is completed.
37

38 Mr. Guisasola commented that the certification program will have definite benefits because it
39 will lead to greater standardization and uniformity, plus enhance people's understanding of
40 applicable code.
41

42 Mr. Modugno asked if certification would be limited to state employees. Mr. Higgins answered
43 that anyone can be certified.
44

45 Mr. Scott asked the staff to provide another update on the Certified Access Specialist Program
46 at the committee's next meeting.
47

48 Mr. Scott proposed recessing for lunch. He recommended moving the task reports forward on
49 the agenda and taking them immediately after lunch.
50

51 At 12:30 p.m., the committee recessed for lunch. Mr. Scott reconvened the meeting at 1:10
52 p.m.

1 Mr. Scott suggested setting the July meeting date while everyone was present.

2
3 **Schedule Next Meeting (Out of Order)**

4 Committee members agreed to hold the next task force meetings on July 28, 2005 and the
5 next UDC meeting on July 29, 2005.

6
7 **Play Area Surfaces Task Group Report (Out of Order)**

8 Mr. Lawrence reported that the task group discussed issues pertaining to engineered wood
9 fiber. The group recognized that ongoing maintenance and regular total replacement is
10 necessary to ensure a stable enough surface.

11
12 Mr. Scott recommended focusing on design standards for play boxes, noting that engineered
13 wood fiber issues could be addressed in that context. He said there are already over 8,000
14 trained specialists in playground access nationwide, and it might be beneficial for California to
15 establish a certified access specialist program in that specific area. Mr. Guisasola
16 acknowledged that there had been considerable discussion about splitting the certified access
17 program into specialty areas.

18
19 Committee members discussed difficulties in getting playgrounds inspected by qualified
20 inspectors.

21
22 Mr. Peterson noted playground equipment is exempt from inspection requirements, and
23 projects under \$25,000 do not require DSA plan review. Mr. Noble suggested clarifying on the
24 DSA Website that while playground equipment is exempt from structural review, playground
25 facilities still need to be accessible.

26
27 Mr. Scott noted the committee previously approved a recommendation to the DSA Advisory
28 Board and DSA that all new playgrounds be designed to provide an accessible route, and that
29 the clear floor area and maneuvering area be of a firm and stable material, and not loose. He
30 asked if the committee wanted to continue with that position. Mr. Mincer expressed support for
31 the recommendation.

32
33 Mr. Scott added that the committee recommends the use of solid rubber for the accessible
34 area and clear floor area. Paths of travel could have engineered wood fiber, but only if
35 properly installed and maintained, and rubber mats would still be needed under the equipment.
36 Mr. Scott pointed out that engineered wood fiber needs to be properly topped off and tilled
37 annually, and materials from different manufacturers cannot be mixed.

38
39 Ms. Toji expressed concern about ensuring firm surfaces for entry areas, ramps, and other
40 paths of travel. Mr. Mincer noted that handrails can provide extra protection.

41
42 Mr. Scott thanked Mr. Lawrence for his report.

43
44 **Door Opening Force Task Group Report (Out of Order)**

45 Mr. Lawrence reported that the task group talked about the 8.5 pounds of opening force versus
46 5 pounds and concluded it would be best to have an emergency resolution to rescind the 5-
47 pound opening force for exterior doors and move back to 8.5 pounds.

48
49 Mr. Mincer clarified the proper wording should be “nominal 8.5 pounds.” He said the “nominal”
50 concept is also used for door width and handrail sizes.

1 **Mr. Mincer made a motion, seconded by Mr. Lawrence, to restore the nominal 8.5 pound**
2 **standard.**

3
4 Mr. Donn Harter expressed support for a higher standard; he noted the industry would like 10
5 pounds to ensure a door stays closed.

6
7 Mr. Mincer suggested using the ADAAG way of measuring door pressure where the lock is
8 disengaged and centered on the connection point of the hardware to the door.

9
10 After some discussion, committee members agreed the word “nominal” should not be inserted.
11 Mr. Scott clarified that the pending motion was to request the Advisory Board and DSA to do
12 emergency rulemaking to restore the door opening force to what it was prior to the 2001
13 change.

14
15 **The motion was carried unanimously.**

16
17 Mr. Lawrence said the task group’s next focus will be defining the right place for automatic
18 door operators.

19
20 Mr. Scott noted the committee will be recommending a new policy to require automatic door
21 openers at primary entrances to commercial and medical facilities. Committee members
22 discussed the implications of extending the requirement to schools.

23
24 Mr. Peterson pointed out that campus security must also be taken into account when allowing
25 automatic doors. Mr. Scott acknowledged that certain buildings must have controlled access,
26 and he said there are ways of ensuring that through card keys, timers, and other systems.

27
28 Ms. Toji commented that similar issues come up regarding signage. She cautioned that the
29 policy needs to be worded clearly enough to avoid having automatic door openers on every
30 classroom. Committee members agreed.

31
32 Mr. Mincer recommended clarifying the 15-pound pull exemption for doors leading to fire-rated
33 corridors. Mr. Scott explained that the exemption was intended for stair well doors because
34 stair wells are pressurized. Mr. Lawrence noted fire doors have to have 15 pounds of pressure
35 to latch properly. Mr. Scott agreed that this issue should be clarified.

36
37 Mr. Scott encouraged Ms. Toji and Mr. Harter to provide their input to the task group.

38
39 Ms. Aguayo said she has been working with the DSA Advisory Board’s Policies and
40 Procedures Committee to develop a process for setting up ad hoc committees, and the same
41 procedures would apply to task groups. She recommended defining each task group’s
42 purpose, deliverables, and timeframe. Mr. Scott noted that information had already been
43 submitted to the staff. He offered to retrieve a copy and provide it to the staff.

44
45 Ms. Aguayo confirmed that the committee had not yet developed a recommendation to the
46 Advisory Board regarding play area surfaces, and Mr. Scott agreed. He said the play area
47 task group’s work had not yet been completed.

48
49 Mr. Noble advised that a statement of need is required for an emergency rulemaking and he
50 suggested including development of that written statement as part of the motion.

1 Mr. Scott explained the rationale for emergency rulemaking. First, he noted, there is a security
2 and safety issue because the 5-pound force prevents the door from closing in secure buildings
3 with pressurized areas or windy conditions. Second, power-assisted doors can disengage
4 from wind pressure, flinging the door out of a person's control, creating a safety issue for
5 elderly people. Third, if such gratuitous and unusable accessibility code requirements are
6 included, people will tend to ignore other important safeguards. Fourth, the current code
7 change was processed without proper economic analysis and was based on a flawed
8 rationale.

10 Mr. Lawrence added that the current standard compromises Title 24 energy provisions as well.
11 He said 8.5 pounds is the bare minimum necessary to get a door to close on a pressurized
12 interior.

14 Mr. Scott observed that the rationale included safety, security, regulatory, and procedural
15 problems. He added that the current standard is being ignored by the entire industry now
16 because it is unworkable.

18 Mr. Scott proposed going back to the earlier topic of toilet paper dispensers before going on to
19 "New Business."

21 **Old Business (Continued)**

22 **Proposed Revisions to Existing Policies**

23 99-07 Toilet Paper Dispensers

24 Mr. Noble distributed a handout of proposed language based on IBC and ADA/ABA provisions.
25 He said DSA had complaints in the past about large toilet paper dispensers encroaching on
26 clear floor area space at front transfer locations in water closets. The proposed policy limits
27 the protrusion from the interior wall. Mr. Scott explained that protrusions can be major safety
28 hazards to people in wheelchairs or people with vision impairments. Mr. Vitale said obese
29 people face maneuverability challenges when dispensers and other accessories protrude too
30 far.

32 Committee members talked about the practicality of avoiding protrusions, noting that some
33 protrusions are needed to avoid penetrating fire walls and adjoining stalls. Mr. Scott
34 expressed his opinion that the limitations in the proposed policy were impractical. He
35 recommended dropping the policy altogether.

37 **Mr. Lawrence made a motion, seconded by Mr. Allen, to drop proposed Policy 99-07.**
38 **The motion was carried unanimously.**

40 Committee members took a brief recess.

42 **New Business**

43 **Proposed Revisions to Existing Policies**

44 Mr. Noble said he would take the policy revisions in the order in which they appeared in the
45 handout.

47 97-03 Interim Disabled Access Guidelines for Electrical Vehicle Charging Stations

48 Mr. Noble said this revised policy deals with accessibility requirements for electrical vehicle
49 charging stations and sets a minimum number of accessible stations at each site.

1 Mr. Lawrence drew attention to the next-to-last paragraph under “Resolution” regarding
2 proximity to sites and facilities. He recommended clarifying how this would apply to parking
3 garages or large campuses with different areas for parking that may not be near a main
4 entrance. Mr. Noble said the shortest accessible route is a general standard for parking areas.
5 He suggested specifying that accessible charging stations shall be located on the shortest
6 accessible route to major buildings and facilities.

7
8 Mr. Modugno noted there has been great interest recently in hydrogen-fueled cars, so the
9 same provisions should apply to those charging stations. He suggested it might be wise to
10 change the title to a broader name to cover future technologies.

11
12 Mr. Vitale pointed out the second paragraph under “Resolution” says the accessible EV
13 charging stations are not reserved exclusively for the use of persons with disabilities. Mr.
14 Scott observed that the signage indicates “Parking for EV charging only. This space
15 designated for disabled access. Use last.”

16
17 Committee members concluded the proposed policy language should be revised.

18
19 **Mr. Lawrence made a motion, seconded by Mr. Mincer, to send Policy 97-03 back for**
20 **rewriting. The motion was carried unanimously.**

21
22 Mr. Noble asked for clarification as to what the committee wanted rewritten. Mr. Vitale
23 suggested consulting with the California Energy Commission. Mr. Scott said the intent should
24 be first, to get accessible parking spaces nearest to building entrances, and then accessible
25 EV charging stations located as close as possible to primary entrances.

26 27 **Proposed Deletion of Existing Policies (Out of Order)**

28 Mr. Noble drew attention summarizing the rationale for deleting each of the policies listed.

29
30 Mr. Guisasola asked about Policy 95-05, pertaining to residential elevators in commercial
31 buildings. Mr. Noble explained that the updated ADAAG addresses this issue, and DSA’s old
32 policy conflicts with other minimum requirements.

33
34 **Mr. Lawrence made a motion, seconded by Mr. Mincer, to approve deletion of the**
35 **policies identified. The motion was carried unanimously.**

36 37 **New Business (Continued)**

38 **Proposed Revisions to Existing Policies**

39 **97-06 Parking Ticket Dispensers**

40 Mr. Noble said Policy 97-06 allows reasonable programmatic solutions for accessible ticket-
41 issuing devices

42
43 Mr. Lawrence said he thought the new language was too vague and open-ended; he added
44 that he liked the older version better because it solved a problem. Committee members noted
45 some people with difficulty grasping have trouble tearing ticket stubs from dispensers or
46 reaching to grab them.

47
48 Mr. Scott observed that a better solution would be to recommend ticket dispensers that do not
49 require tickets to be torn off. Mr. Mincer advocated voice activation as well.

1 Mr. Scott proposed sending this policy back for revision. He recommended splitting it in two
2 parts, one dealing with the ticket and another dealing with programmatic access.
3

4 **Mr. Mincer made a motion, seconded by Mr. Allen, to send Policy 97-06 back for further**
5 **revisions. The motion was carried unanimously.**
6

7 98-02 Two-Story Relocatable Classroom Projects

8 Mr. Noble said this policy requires ramps or elevators for two-story relocatable classroom
9 buildings.
10

11 **Mr. Lawrence made a motion, seconded by Mr. Mincer, to accept proposed Policy 98-02.**
12

13 Mr. Peterson noted the first paragraph at the top describes the document as an
14 “interpretation.” Committee members agreed it would be better to use “policy.”
15

16 **The motion was carried unanimously.**
17

18 98-04 Accessibility Requirements in Group I Occupancy

19 Mr. Noble noted the “Resolution” clarifies the total number of required accessible patient
20 bedrooms and associated toilet rooms in multi-use medical facilities.
21

22 Mr. Scott asked if the Office of Statewide Health Planning and Development (OSHDP)
23 approved the change. Mr. Noble responded that OSHDP helped develop the original policy.
24 Mr. Scott recommended checking back with OSHDP just to make sure of their support. He
25 asked the staff to send a letter asking for OSHDP’s concurrence.
26

27 98-05 Accessible Seating in Folding Bleacher Units

28 Mr. Noble said this policy recommends appropriate signage for wheelchair seating areas,
29 dispersing those areas, and providing wheelchair seating on both home and visitor sides of a
30 stadium.
31

32 Mr. Scott stated that the IBC has solved this issue by requiring wheelchair positions to be on
33 the first level of seating, provided on both sides, and laterally dispersed; the IBC also
34 addresses companion seating requirements. He recommended approving this policy for the
35 time being and then doing final revisions when the IBC is adopted.
36

37 Mr. Mincer proposed including language regarding horizontal dispersion, and other committee
38 members agreed. Mr. Mincer observed that shoulder alignment is also important so a person
39 in a wheelchair can converse easily with companions.
40

41 **Mr. Lawrence made a motion, seconded by Mr. Mincer, to send Policy 98-05 back for**
42 **further revisions.**
43

44 Mr. Scott asked the staff to insert the horizontal dispersion language and use the IBC standard
45 for bleachers and retractable seating. He said the IBC provides fall protection, handrails, and
46 crushing protection.
47

48 **The motion was carried unanimously.**
49
50
51

1 98-07 Assembly Seating

2 Mr. Noble drew attention to Policy 98-07, regarding assembly seating. He noted the policy
3 deals with wheelchair seating and companion seating.
4

5 Mr. Mincer drew attention to Item 4 under “Resolution” and recommended clarifying that semi-
6 ambulant seating should be on a path of travel that has no steps.
7

8 **Mr. Mincer made a motion, seconded by Mr. Lawrence, to require 20 percent of the**
9 **seating to be on an accessible path or aisle without steps. The motion was carried**
10 **unanimously.**
11

12 99-02 Playground Areas

13 Mr. Scott proposed forwarding this proposed policy to the Play Area Task Group.
14

15 **A motion was made and seconded to forward Policy 99-02 to the task group as**
16 **recommended. The motion was carried unanimously.**
17

18 00-01 Self-Evaluation and Transition Plan

19 Mr. Noble said Policy 00-01 clarifies the requirements for public entities to evaluation their
20 service policies to ensure accessibility. He noted the “Resolution” describes five phases of
21 access compliance in a flow chart format.
22

23 **Mr. Lawrence made a motion, seconded by Mr. Guisasola, to accept the policy as**
24 **proposed.**
25

26 Mr. Guisasola proposed amending the motion to recommend that ADA coordinators should be
27 CASP-certified.
28

29 **The motion was carried unanimously.**
30

31 Public Comments

32 There were no members of the public who wished to address the committee.
33

34 Adjournment

35 There being no further business, the meeting of the Universal Design Committee was
36 adjourned at 3:30 p.m.